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APPLICATION NO.	FILING	G DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,450 09/30/2003		Toshiaki Aoai	Q77489	2007	
23373	7590	02/25/2005	•	EXAMINER	
	E MION, PLI	LC AVENUE, N.W.		GILLIAM, BA	RBARA LEE
SUITE 800		11121102, 11.11		ART UNIT	PAPER NUMBER
WASHING	TON, DC 20	0037		1752	
				DATE MAILED: 02/25/200	5

Please find below and/or attached an Office communication concerning this application or proceeding.

			11				
	Application No.	Applicant(s)					
	10/673,450	AOAI ET AL.					
Office Action Summary	Examiner	Art Unit	· · · · · · · · · · · · · · · · · · ·				
	Barbara L. Gilliam	1752					
The MAILING DATE of this communication ap Period for Reply	pears on the cover sheet with the o	orrespondence addr	ress				
A SHORTENED STATUTORY PERIOD FOR REPL THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a rep - If NO period for reply specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statut Any reply received by the Office later than three months after the mailine earned patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, may a reply be tir bly within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from e, cause the application to become ABANDONE	nely filed /s will be considered timely. I the mailing date of this comi ED (35 U.S.C. § 133).	munication.				
Status							
1) Responsive to communication(s) filed on 24 /	<u>March 2004</u> .						
2a) This action is FINAL. 2b) ⊠ Thi	s action is non-final.						
•	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims							
4) ☑ Claim(s) 1-10 is/are pending in the application 4a) Of the above claim(s) is/are withdra 5) ☐ Claim(s) is/are allowed. 6) ☑ Claim(s) 1-10 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or	wn from consideration.						
Application Papers							
9)☐ The specification is objected to by the Examine	er.						
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the	drawing(s) be held in abeyance. See	∍ 37 CFR 1.85(a).					
Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the E			` '				
Priority under 35 U.S.C. § 119							
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority document 3. Copies of the certified copies of the priority application from the International Burea * See the attached detailed Office action for a list.	ts have been received. ts have been received in Applicati nity documents have been receive u (PCT Rule 17.2(a)).	on No ed in this National St	age				
Attachment(s)							
1) Notice of References Cited (PTO-892)	4) Interview Summary						
 Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>3/24/2004</u>. 	Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:		52)				

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claims

2. Claims 1-10 are pending.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 4. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Takata et al. (US 6,143,471).
- a. Takata et al. teach a positive type photosensitive composition comprising a support and a recording layer containing an alkaline developer soluble polymer, a near infrared ray absorbing dye, a dihydropyridine having a specific structure, a pyrylium salt, a carbamate, a carbinol and a pinacol (abstract; col. 3, l. 3-col. 7, l. 25). The alkaline developer soluble polymer is used in an amount of 40% to 95% (col. 30, l. 46-52). The infrared absorbing compound is used in an amount of 1% to 60% by weight (col. 31, l. 48-54). Specific examples of the carbinol include compounds (VIII-1) (VIII-

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5) (col. 21, l. 50 – col. 23, l. 43) all of which meet the present limitations for the leucohydroxy dye. The carbinol compounds are used in an amount of 0.5% to 30% by weight (col. 31, l. 10-16).

Conclusion

- 5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- a. In US 4,818,660, Blanchet-Fincher et al. teach photohardenable electrostatic master.
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara L. Gilliam whose telephone number is 571-272-1330. The examiner can normally be reached on Monday through Thursday, 8:00 AM 5:30 PM.
- a. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia Kelly can be reached on 571-272-1526. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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b. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Saubara L. Gilliam

Barbara L. Gilliam Primary Examiner Art Unit 1752

bg February 22, 2005